

Draft

**Virginia Manufactured Housing Board
Minutes
December 6, 2007**

Board Members Present : Michael C. Nickell, Vice Chairman
James W. Roncaglione
Eric C. Anderson
Walter K. Hughes, Sr.
Ava Lewis

Board Members Absent : William H. Moody, Chairman
William B. Toombs
John M. Swecker, Jr.
Samantha Hedgspeth

Public Representation : Dinia Pizzino c/o Bertha E. Peppenger
Tom Satterwhite, Fleetwood Homes of VA, Inc.
Ron Burlington, Fleetwood Homes of VA, Inc.
Joseph and Mary Brown
Charlie Hemphill, Norris Homes
Bob Lucas, Clayton Homes
Ron Dunlap, VAMMHA

A. Call to Order/Roll Call/Determination of a Quorum.

The Virginia Manufactured Housing Board meeting was held in Richmond, Virginia, Thursday, December 6, 2007. Vice Chairman Nickell called the meeting to order at 10:45 a.m. Curtis L. McIver, Secretary to the Board performed the Roll Call and a Quorum was present, with Mr. Walter Hughes participating by speaker phone.

B. Approval of the Minutes.

A motion was made by James Roncaglione and seconded by Eric Anderson to accept the Minutes from the Board's meeting of September 20, 2007. The Minutes were accepted as written by a unanimous vote.

C. Public Comment.

None.

D. Committee Reports.

None.

E. Report of the Secretary.

1. Licenses and Recovery Fund Reports.

Currently licensed are 4 brokers, 241 dealers, 41 manufacturers and 741 salespersons in the program.

The cash balance in the Licensing Account is \$3,480.71. The cash balance in the Transaction Recovery Fund Account is \$1,006,682.13.

2. HUD's Dispute Resolution Program.

Two Conference Calls were scheduled by HUD, splitting up the States and connecting 15 to 18 states at a time to join in on a conference call. After much discussion, HUD emphasized that funds are not available and suggested that the states handle the program. In order for the program to be approved in Virginia, HUD provided a new form to be filled out and submitted back to HUD before the effective date of February 8, 2008. By the next Board meeting, if approval has not been received, a package will be distributed with copies of what was submitted.

3. The Office of Attorney General Regulatory Review Task Force.

The Attorney General has a Task Force reviewing state agency regulations. A staff attorney made recommendations to the Task Force regarding the Licensing Regulations. The Task Force report has not been received yet.

4. Michael Worley – Northwoods Corp. dba B & W Homes.

The retailer's license has been returned to the office and has been canceled and flagged, due to a plea agreement with DMV on charges filed by DMV against the dealer.

5. Financial Statements for Board members need to be submitted by January 11, 2008.

F. Unfinished Business.

1. Bertha E. Peppenger (Dinia Pizzino) v. Fleetwood Homes of Virginia and Crews Home Sales.

Mr. Hughes recused himself from this case since Fleetwood was involved. After much discussion, Eric Anderson made a motion to request staff to go to Ms. Peppenger's home to inspect the floor to determine if repairs need to be made to the vinyl covering and to make sure the floor is in conformance. The motion was seconded by Ava Lewis. Vice Chairman Nickell called the question and the motion carried by unanimous vote.

Ms. Pizzino made a request to the Board for the amount of \$23,800 from Crews Mobile Home. Ms. Pizzino was told to provide at the next board meeting scheduled for

January 17, 2008 a written request, receipts, detail explanations, reasons for expenses seeking reimbursement, an affidavit of how she arrived at damages stipulating how Crews damaged her in the amount \$23,800.

2. Larry and Phyllis Sergent v. Indies Signature Homes, Hackleburg, AL.

After reviewing the estimate of \$19,439.04, a motion was made by Eric Anderson to use Tommy Kinser of Kinser's Services to provide the work to be done at the Sergent's residence. Payment is to be made payable jointly to the Sergent's and Kinser. The motion was seconded by James Roncaglione. Vice Chairman Nickell called the question and the motion carried by unanimous vote.

3. Completed Agenda Items.

a. Kenneth and Brenda Hillman v. Indies Signature Homes, Hackleburg, AL.

Payment made from Recovery Fund.

b. Bill Mack Mullins v. Dutch Housing, Inc. (Champion) & Clintwood Mobile Home Sale (Closed).

Home was out of warranty. No action taken by the Board.

c. License application – Keith Darrell Wyatt, Crews Mobile Homes.

Licensed was issued.

G. New Business.

1. Joseph and Mary Brown v. Clayton MH dba LUV Homes (Ashland).

After much discussion with the Browns and Clayton representatives, Walter Hughes made a motion to send this case to fact finding. The motion was seconded by Eric Anderson. The motion carried by unanimous vote.

2. License application – Christine Hilton, Crews Mobile Homes

H. Next Meeting Date and Location.

The next meeting date and location of the Virginia Manufactured Housing Board is scheduled for January 17, 2007 at 10:00 a.m. in Richmond, Virginia.

I. Adjournment.

The Virginia Manufactured Housing Board Meeting adjourned at 2:45 p.m. on a motion made by Eric Anderson and seconded by Ava Lewis. The motion carried by a unanimous vote.